

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States District Court  
Southern District of Texas  
FILED

No. 16-40795

JUN - 6 2016

David J. Bradley, Clerk of Court

In re: UNITED STATES OF AMERICA; JEH CHARLES JOHNSON,  
SECRETARY, DEPARTMENT OF HOMELAND SECURITY; R. GIL  
KERLIKOWSKE, Commissioner of U.S. Customs and Border Protection;  
RONALD D. VITIELLO, Deputy Chief of U.S. Border Patrol, U.S. Customs  
and Border of Protection; SARAH R. SALDANA, Director of U.S.  
Immigration and Customs Enforcement; LEON RODRIGUEZ, Director of  
U.S. Citizenship and Immigration Services,

Petitioners

1:14-CV-254

On Petition for Writ of Mandamus to the  
United States District Court  
for the Southern District of Texas

No. 16-40796

STATE OF TEXAS; STATE OF ALABAMA; STATE OF GEORGIA; STATE  
OF IDAHO; STATE OF INDIANA; STATE OF KANSAS; STATE OF  
LOUISIANA; STATE OF MONTANA; STATE OF NEBRASKA; STATE OF  
SOUTH CAROLINA; STATE OF SOUTH DAKOTA; STATE OF UTAH;  
STATE OF WEST VIRGINIA; STATE OF WISCONSIN; PAUL R. LEPAGE,  
Governor, State of Maine; PATRICK L. MCCRORY, Governor, State of North  
Carolina; C. L. "BUTCH" OTTER, Governor, State of Idaho; PHIL BRYANT,  
Governor, State of Mississippi; STATE OF NORTH DAKOTA; STATE OF  
OHIO; STATE OF OKLAHOMA; STATE OF FLORIDA; STATE OF  
ARIZONA; STATE OF ARKANSAS; ATTORNEY GENERAL BILL  
SCHUETTE; STATE OF NEVADA; STATE OF TENNESSEE,

Plaintiffs - Appellees

v.

UNITED STATES OF AMERICA; JEH CHARLES JOHNSON,  
SECRETARY, DEPARTMENT OF HOMELAND SECURITY; R. GIL  
KERLIKOWSKE, Commissioner of U.S. Customs and Border Protection;  
RONALD D. VITIELLO, Deputy Chief of U.S. Border Patrol, U.S. Customs  
and Border of Protection; SARAH R. SALDANA, Director of U.S.  
Immigration and Customs Enforcement; LEON RODRIGUEZ, Director of  
U.S. Citizenship and Immigration Services,

Defendants - Appellees

v.

JANE DOE #1; JANE DOE #2; JANE DOE #3,

Intervenors – Appellants

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Appeal from the United States District Court  
for the Southern District of Texas

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No. 16-40797

In re: ANGELICA VILLALOBOS; JUAN ESCALANTE;  
JANE DOE 4; JANE DOE 5,

Petitioners

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On Petition for Writ of Mandamus to the  
United States District Court  
for the Southern District of Texas

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Before DAVIS, JONES, and HAYNES, Circuit Judges.

PER CURIAM:

Pending before this court are motions to stay the district court order dated May 19, 2016, and motions for mandamus seeking essentially the same relief. Movants, the United States Government and Angelica Villalobos, Juan Escalante, Jane Doe #4 and Jane Doe #5, assert that the motions are filed as a “protective matter” in case the district court fails to issue a stay of its order pending appeal following a hearing that the court scheduled for June 7. The motions ask this court to rule by June 8.

This court ORDERS, lest there be any confusion, that the filing of these motions before us should not be construed to interfere with the district court’s conduct of a hearing tomorrow or its issuance of a ruling on a motion to stay.

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

June 06, 2016

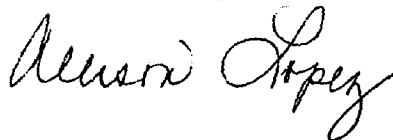
MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 16-40795      In re: USA, et al  
USDC No. 1:14-CV-254

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in black ink, appearing to read "Allison Lopez", written in a cursive style.

By: \_\_\_\_\_  
Allison G. Lopez, Deputy Clerk  
504-310-7702

Mr. David J. Bradley  
Ms. Beth S. Brinkmann  
Mr. William Ernest Havemann  
Mr. Scott A. Keller  
Ms. Nina Perales